IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 16882 of 2004

Between:

1 The Conservator of Forest, Warangal Circle, Warangal
2 The Divisional Forest Officer, Warangal South Division, Warangal
3 The Divisional Forest Officer, Wild Life Management, Warangal
4 The Divisional Forest Officer, Flying Squad Party, Warangal

..... PETITIONER(S)

AND

1 B.Narsing Rao, Forest Beat Officer
2 Ch.Adaiah, Forest Beat Officer
3 A.Kishan Rao, Forest Beat Officer
4 S.Buchaiah, Forest Beat Officer
5 P.Madhusudhan Rao, Forest Beat Officer
6 P.Rajaiah, Forest Beat Officer
7 A.Sadanandam, Forest Beat Officer
8 B.Bhadraiah, Forest Beat Officer
9 K.Kumara Swamy, Forest Beat Officer
10 U.Madhusudhan, Forest Beat Officer
11 B.Shamsunder, Forest Beat Officer
12 K.Sadanandam, Forest Beat Officer
13 B.Ramulu, Forest Beat Officer
14 B.Ilaiah, Forest Beat Officer
15 B.Balanagu, Forest Beat Officer
16 V.Nagaraju, Forest Beat Officer
17 V.Jawaher, Forest Beat Officer

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue any Writ or proceedings more particularly one in the nature of Writ of Certiorari calling for the records pertaining to the order passed on dated 10-7-2003 in O.A.No.7891/1997 on the file of the Hon'ble A.P. Administrative Tribunal, Hyderabad and quash the same as illegal and arbitrary.

Counsel for the Petitioners: GP FOR SERVICES I

Counsel for the Respondent Nos.2 to 17: Mr. V.Tulasi Reddy

The Court made the following :

ORAL ORDER (Per Hon'ble Sri Justice G.Bikshapathy)

1. The order passed by the A.P. Administrative Tribunal, Hyderabad in O.A.No.7891 of 1997, dated 10.7.2003 is assailed in this writ petition.

2. The department has filed this writ petition. It is the case of the petitioners that since the pay of the unofficial respondents was fixed wrongly, it was reduced without notice. However, the respondents filed O.A.No.699 of 1997 on earlier occasion and the said O.A. was ordered on the ground that no opportunity was given to the petitioners therein. Accordingly, the Government issued show cause notice subsequent to the order of the Tribunal and passed final orders on 21.10.1997. The said orders came to be challenged by the unofficial respondents in O.A.No.7891 of 1997. The Tribunal allowed the O.A. on the ground that there was no opportunity to the petitioners therein. As against the said order, the present writ petition is filed.

3. It is now conceded by the learned Government Pleader for the petitioners that subsequent to the orders of the tribunal, a Show Cause Notice was issued and explanation was also furnished and final orders were passed on 21.10.1997.

4. In view of this, it is observed that the matter requires reconsideration on merits of the case. Accordingly, the order passed by the Tribunal in O.A.No.7891 of 1997, dated 10.7.2003 is set aside and the matter is remitted back to the Tribunal for fresh consideration and the Tribunal shall hear the parties concerned and pass appropriate orders on merits within a period of three months from the

date of this order.

5. The writ petition is accordingly disposed of. No costs.

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(G. BIKSHAPATHY, J.)

6th December, 2004.

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(P.S. NARAYANA, J.)

bcj

To

1 The Conservator of Forest, Warangal Circle, Warangal
2 The Divisional Forest Officer, Warangal South Division, Warangal
3 The Divisional Forest Officer, Wild Life Management, Warangal
4 The Divisional Forest Officer, Flying Squad Party, Warangal

5 Two C.Cs. to the Government Pleader for Services-I, High Court Buildings, Hyderabad (OUT)

6 Two C.D. copies